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Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 EUR-25 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-15 IO-13 DPW-01 AID-20 SR-02 ORM-03 RSR-01 /148 W
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P 182032Z JUL 73
FM USDEL JEC PARIS
TO SECSTATE WASHDC PRIORITY 107
INFO AMEMBASSY SAIGON PRIORITY

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E.O. 11652: N/A
TAGS: VA, PINT
SUBJECT: GVN-PRG BILATERALS: 17TH PLENARY SESSION, JULY 18, 1973

1. (SUMMARY) THE PRG PRESENTED A 22-POINT "BILL OF RIGHTS" GUARANTEEING DEMOCRATIC FREEDOMS IN BOTH ZONES OF SVN, FOR PROMULGATION BY THE TWO SIDES. (OBSERVERS NOTED THAT THE PROPOSALS CONTAINED SOMETHING OF APPEAL TO EVERY SECTOR OF THE POPULATION FROM NORTH VIETNAMESE INFILTRATORS THROUGHT THE THIRD FORCE EMIGRES AND RESIDENT BOURGEOISIE.) THE GVN PRESENTATION WAS BRIEF AND DEFENSIVE, FALLING BACK UPON GVN JUNE 28 AND JULY 4 OFFERS. IN PASTSESSION PRESS CONFERENCES, DAN (GVN) REJECTED THE PRG PROPOSALS AS A "RED HERRING," WHILE SAU (PRG) PLAYED UP ALLEGEDLY INCREASINGSVN POPULAR DISCONTENT WITH PRESIDENT THIEU'S "AUTHORITARIAN REGIME". BOTH SIDES PROVIDED HANDOUTS TO THE PRESS: THE GVN DISTRIBUTED ARCHBISHOP BINH'S RECENT STATEMENT ON POLITICAL DETAINEES, WHILE THE PRG GAVE OUT A CATALOGUE OF GVN CEASE-FIRE VIOLATIONS. IT WAS AGREED TO RECONVENE JUNE 25. (END SUMMARY)

2. HIEU SPOKE FIRST. AFTER THE USUAL LITANY ABOUT ALLEGED GVN SABOTAGE OF THE CEASE-FIRE "WITH THE ENCOURAGEMENT
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AND ACTIVE SUPPORT OF THE U.S.," HIEU DENOUNCED THE U.S.

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FOR SENDING WAR MATERIEL AND AMERICAN GENERALS TO SAIGON ILLEGALLY. HE ALSO ATTACKED PRESIDENT THIUE FOR HAVING ADVOCATED ERADICATION OF THE COMMUNIST INFRASTRUCTURE IN A SPEECH JULY 14.

3. MOST OF HIEU'S PRESENTATION WAS DEVOTED TO TABLING PROPOSED "FUNDAMENTAL PROVISIONS FOR GUARANTEEING DEMOCRATIC FREEDOMS TO THE SVN POPULATION," IN SEVEN CHAPTERS AND TWENTY-TWO ARTICLES. A HIGHLY CONDENSED OUTLINE OF THESE PROPOSALS FOLLOWS:

CHAPTER I--EQUALITY OF ALL CITIZENS AND OGANIZATIONS

ARTICLE 1--EQUALITY AND EQUAL ENJOYMENT OF GUARANTEES BY ALL CITIZENS, REGARDLESS OF ETHNIC ORIGIN, SEX, POLITICAL OPINION, RELIGION, SOCIAL ORIGIN, "CULTURAL LEVEL," PROFRESSION, OR "LENGTH OF DOMICILE IN THE COUNTRY" (COMMENT: UNIDENTIFIED OBSERVERS, PROBABLY GVN, WERE QUOTED AS SAYING THIS COULD APPLY TO THE NVA), AS WELL AS FOR ALL POLITICAL, RELIGIOUS, CULTURAL, AND SOCIAL ORGANIZATIONS.

ARTICLE 2--BOTH PRIVILEGED AND INFERIOR STATUS, CONCERNING DEMOCRATIC FREEDOMS, TO BE OUTLAWED

ARTICLE 3--COMPLAINTS TO BE INVESTIGATED AND RECURRENCES OF RESTRICTIONS PRECLUDED

CHAPTER II--GUARANTEE OF INDIVIDUAL FREEDOM

ARTICLE 4--INVIOLABILITY OF PERSON, RESIDENCE, AND CORRESPONDENCE

ARTICLE 5--REPRESSION AND "CONCENTRATION CAMPS" OUTLAWED; ARBITRARY AND PREVENTIVE ARRESTS BANNED; HUMANE TREATMENT OF DETAINEES AND LEGAL DEFENSE ASSURED

ARTICLE 6--PUBLIC TRIALS BY REGULAR COURTS PRESCRIBED

ARTICLE 7--IMMEDIATE RELEASE OF ALL DETAINEES AND
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RETURN OFCONFISCATED PROPERTY

CHAPTER III--GUARANTEE OF POLITICAL RIGHTS, FREEDOM OF RESIDENCE AND OCCUPATION

ARTICLE 8--FREEDOM OF RESIDENCE AND RETURN TO NATIVE VILLAGE ASSURED, FREEDOM OF INTRA-AND INTER-ZONAL MOVEMENT; FREE EXCHANGE OF MAIL

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ARTICLE 9--FREEDOM OF SVN EMIGRES TO RETURN

ARTICLE 10--FREE CHOICE OF PROFESSION, FORCED
LABOR BANNED; RIGHT TO STRIKE AND TO RETURN TO NATIVE
VILLAGE (COMMENT: NB SECOND MENTION OF THIS) ASSURED;
FREE VOCATIONAL ACTIVITY BY PROFESSIONALS AND MIDDLE
CLASS

CHAPTER IV--GUARANTEE OF FREEDOMS OF SPEECH, PRESS,
ASSEMBLY, AND POLITICAL ACITIVITY

ARTICLE 11--FREE EXPRESSION OF POLITICAL IDEAS BY
ALL INDIVIDUALS AND ORGANIZATIONS

ARTICLE 12--FREEDOM OF PRESS AND PUBLICATION;
ABOLITION OF ALL CENSORSHIP AND RESTRICTION OF THE PRESS

ARTICLE 13--FREEDOM OF ASSEMBLY WITHOUT PRIOR
OFFICIAL AUTHORIZATION

ARTICLE 14--FREE ORGANIZATION OF POLITICAL PARTIES
AND SOCIO-ECONOMIC ASSOCIATIONS; NO LEGAL PEREQUISITES
FOR FORMATION OF ORGANIZATIONS; NO BANS ON AFFILIATION
WITH ANY ASSOCIATION

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ARTICLE 15--FREEDOM OF POLITICAL ACTIVITY IN BOTH
ZONES WITHOUT STIGMA DUE TO PAST AFFILIATION;
FREE CIRCULATION OF NEWSPAPERS

CHAPTER V--GUARANTEE OF FREEDOM OF RELIGION

ARTICLE 16--FREE EXERCISE OF RELIGIOUS ACTIVITY IN
BOTH ZONES

ARTICLE 17--EQUALITY OF RELIGIONS, OF BELIEVERS AND
NON-BELIEVERS

ARTICLE 18--RESPECT FOR RELIGIOUS EDIFICES; RIGHT
OF RELIGIONS TO HOLD PROPERTY

CHAPTER VI--GUARANTEE OF RIGHTS TO PRIVATE PROPERTY
AND FREE ENTERPRISE

ARTICLE 19--PROTECTION OF PRIVATE PROPERTY AND
INHERITANCE; RECOGNITION OF PRIVATE LANDHOLDING

ARTICLE 20--FREE ENTERPRISE GUARANTEED; BOURGEOISIE
TO BE ENCOURAGED IN "DEVELOPING ENTERPRISES PROFITABLE
TO THE NATIONAL ECONOMY AND THE POPULAR WELFARE"
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CHAPTER VII--GENERAL CLAUSES

ARTICLE 21--STRICT PROHIBITION OF ACTIONS INIMICAL
TO FULL EXERCISE OF DEMOCRATIC FREEDOMS; PUNISHMENT OF
OFFENDERS AND COMPENSATION OF CITIZENS

ARTICLE 22--NULLIFICATION OF ANY "POLICY, LEGISLATION,
ACT, MEASURE" CONTRARY TO THESE PROVISIONS.

4. GVN DEPUTY PRIMIN VIEN MADE A SHORT ADDRESS RENEWING
APPEALS MADE JUNE 28 AND JULY 4 FOR PRIVATE DISCUSSIONS
ON "GENERAL PRINCIPLES" OF A COMPREHENSIVE SETTLEMENT.

5. IT WAS AGREED TO RECONVENE JULY 25, I.E., THREE DAYS
BEFORE EXPIRATION OF THE TIME LIMIT SPECIFIED IN THE
JOINT COMMUNIQUE.

6. DAN (GVN) OPENED POST-SESSION PRESS CONFERENCES
BY DISTRIBUTING COPIES OF ARCHBISHOP BINH'S RECENT
STATMENT ON THEPRG PROPOSALS TODAY DAN SAID THAT THE
OTHER SIDE WANTED NEITHER GENUINE NEGOTIATIONS NOR FREE
ELECTIONS, BUT ONLY TO CAST A RED HERRING OVER THE WAY

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TOWARDS SELF-DETERMINATION. THE PRG'S PROPOSALS WERE
UNACCEPTABLE BECAUSE THEY SOUGHT TO ISOLATE THE QUESTION
OF DEMOCRATIC FREEDOMS FROM OTHER VITAL ISSUES.

7. SAU (PRG) DENOUNCED ARVN MULTI-DIVISION LEVEL ATTACKS
IN CHUONG THIEN AND KONTUM AND DISTRIBUTED A PAPER ON THE
SUBJECT. IN THE LATTER PROVINCE ARVN ARTILLERY HAD
ALLEGEDLY ATTAINED THE HIGHEST RATES OF
FIRE IN THE ENTIRE INDOCHINA WAR. SAU QUOTED A GVN
SENATOR TO THE EFFECT THAT THE GVN WAS AN "ARMED CAMP
AND POLICE STATE PAR EXCELLENCE." IN DEFENDING HIEU'S
PRESENTATION SAU EMPHASIZED THAT THE PRG ENVISIONED
EXTENSION OF DEMOCRATIC FREEDOMS TO THE PEOPLE OF BOTH
ZONES AND TO THE EXILES AS WELL. HE MAINTAINED THAT THE
PRG STOOD READY TO RELEASE ALL ITS PRISONERS AND ALLOW
FREEDOM OF THE PRESS. IN CLOSING SAU DWELT AT SOME
LENGTH ON THE ALLEGEDLY GROWING SVN POPULAR DISSATISFACTION
WITH ALLEGED GVN EXCESSES, PARTICULARLY AGAINST CIVIL
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LIBERTIES, RESULTING IN AN INCREASING TIDE OF
RESISTANCE AND REBELLION. DECON 7/18/74.
WILLIAMS

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